



Date: May 8, 2012

To: Tom Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Constance Stancil, Director,
Subject: Proposed Modifications to the Housing Code Ordinance and Removal of Trash and Undergrowth from Property Ordinance

Executive Summary

Neighborhood Improvement Services Department (NIS) enforces the City Minimum Housing Code and related ordinances to ensure that Durham residents have access to safe and decent housing, and to create an aesthetically pleasing physical environment. Periodically, the department reviews city housing codes and standards to keep them current and compatible with state building codes and state statutes. Recently, NIS staff completed a comprehensive review of the City's Minimum Housing Code and the Junk and Debris Ordinance. Staff modified the two codes were to align with current building codes and state statutes.

Recommendation

City Council holds Public Hearing on Proposed Modifications to the Housing Code Ordinance and Removal of Trash and Undergrowth from Property Ordinance; and adopts the Proposed Modifications to the Housing Code Ordinance and Removal of Trash and Undergrowth from Property Ordinance and the ordinance establishing compensation for housing appeals board members.

Background Information

Neighborhood Improvement Services Department through its Code Enforcement Division is responsible for the enforcement of the City's Minimum Housing Code and related ordinances. The code and the related ordinances set and govern minimum standards for structures and physical environment as well as promote safety and livability.

The department proposes modifications to the Minimum Housing Code to support and strengthen the ordinance and the enforcement thereof. A key part of the department's review strategy in the revision was to engage citizens and city

employees. The department established an Ad Hoc Revision team, an interdepartmental team and received input from neighborhood groups. The department was charged with modifying the code to meet new changes in State Codes, new State Statutes and making the code user friendly.

Team meetings were set up and the following groups represented:

1. Ad HOC code revision team made up of twenty-two citizens representing tenants, landlords, property owners, Realtors, apartment association, community activist, preservationist, and investors. The team held three meeting to review and make modifications to the Minimum Housing Code and the Trash and Debris Ordinance.
2. City/County Interdepartmental team which included the departments of City/County Building Inspections, City/County Planning, Solid Waste, and Durham Fire met to review and make modifications to the Code and related ordinance.
3. City/County Building Inspections Department reviewed the proposed modifications with the chief inspectors for each discipline.
4. NIS Code Enforcement team met over several months to review and make modifications.
5. Durham Housing Authority attended two meetings.

NIS staff conducted a comparative study of minimum housing codes and standards in twelve North Carolina municipalities. Staff founded that of the major North Carolina cities; only one city used the International Property Maintenance Code as its primary housing code.

NIS proposes modifications to the Minimum Housing Code that will both strengthen the code and its enforcement. See attachment A.

Issues and Analysis

The City of Durham's Minimum Housing Code and ordinances require property owners to maintain all housing units and lots within the City in safe and habitable condition. Therefore, the purpose of the code and its ordinances is to improve the quality of housing and to promote safe, decent, and vital neighborhoods for the Durham residents. The ordinance establishing compensation for housing appeals board members was inadvertently repealed in 1994 and needs to be readopted.

Alternative

The City Council could decide not to adopt the recommended amendments of Article VI of Chapters 10 of the Durham City Code or refer it back to the Manager for further consideration and study. If the City Council decides not to adopt the amendments the code would continue to be enforced as it has in the past.

Financial Impact

None

SDBE Summary

This item does not require review by the Equal Opportunity/Equity Assurance Department.

Attachments:

Proposed Modifications to the Housing Code Ordinance

Proposed Modifications to Removal of Trash and Undergrowth from Property Ordinance

Stakeholders at MHC Meetings